IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN DOE 1 and JANE DOE 1, in their own Capacity and as parents of CHILD DOE 1, et al.,

Plaintiffs,

v. : Civil No. 5:22-cv-00699-JMG

BOYERTOWN AREA SCHOOL DISTRICT a Pennsylvania Governmental entity, *et al.*, Defendants.

ORDER

AND NOW, this 28th day of February 2022, upon consideration of Plaintiff's Motion for a Preliminary Injunction and other relief (ECF No. 3), Defendant's Response in Opposition (ECF No. 12), and pending guidance from the Third Circuit Court of Appeals in this matter, it is **HEREBY ORDERED** that a hearing and ruling on Plaintiff's request for a preliminary injunction is **STAYED** pending final resolution of related Third Circuit Court of Appeals proceedings.¹

BY THE COURT:

/s/ John M. Gallagher
JOHN M. GALLAGHER
United States District Court Judge

¹The Third Circuit Court of Appeals is currently reviewing a consolidated appeal similarly arguing for injunctive relief for violations of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. The outcome of this proceeding will provide guidance for the Court in the instant matter. See John Doe 1, et al., v. North Allegheny School Dist., et al., No. 22-1299 (assoc. case: John Doe 1, et al., v. North Allegheny School Dist., et al., 2022 WL 170035 (W.D. Pa. Jan. 17, 2022)) and John Doe 1, et al., v. Upper St. Clair School Dist., et al., No. 22-1141 (assoc. case: John Doe 1, et al., v. Upper Saint Clair School Dist., et al., 2022 WL 189691 (W.D. Pa. Jan. 21, 2022)).